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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|------------------------------|------------------|
| 10/781,105 | 02/18/2004 | Frank Kung Fu Liu | UC-I-CIP | 1970 |
| 7590 | 03/22/2006 | | | |
| Daniel R. Brown P.O. Box 821130 North Richland Hills, TX 76180 | | | EXAMINER BEAMER, TEMICA M | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2617 | |

DATE MAILED: 03/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/781,105

Applicant(s)

LIU, FRANK KUNG FU

Examiner

Temica M. Beamer

Art Unit

2681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 February 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Double Patenting

1. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the “right to exclude” granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

2. Claims 1-12 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-26 of U.S. Patent No. 7,010,311.

Although the conflicting claims are not identical, they are not patentably distinct from each other because both inventions are drawn to a wireless telephone node for providing telephony access between plural cordless telephone terminal units and the public switched telephone network, comprising: a wireless transceiver adapted to communicate wireless telephony signals with a wireless telephone network; a first processor adapted to convert wireless audio signals and wireless control signals from said wireless telephony signals; a cordless transceiver adapted to communicate cordless telephone signals with the plural cordless telephone terminal units; a second processor adapted to convert plural cordless audio signals and cordless control signals from said cordless telephone signals; a switch coupled to connect said wireless audio signals and said plural cordless audio signals; a controller coupled to cause said switch to connect any two of said wireless audio signals and said plural cordless audio signals in response to said wireless control signals or said cordless control signals.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1 and 5-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Janssen et al (Janssen), U.S. Patent Pub. No. 2003/0157929.

Regarding claim 1, Janssen discloses A wireless telephone node for providing telephony access between plural cordless telephone terminal units and the public switched telephone network, comprising: a wireless transceiver adapted to communicate wireless telephony signals with a wireless telephone network (0028); a first processor adapted to convert wireless audio signals and wireless control signals from said wireless telephony signals; a cordless transceiver adapted to communicate cordless telephone signals with the plural cordless telephone terminal units (0030); a second processor adapted to convert plural cordless audio signals and cordless control signals from said cordless telephone signals (0031); a switch coupled to connect said wireless audio signals and said plural cordless audio signals (0031, 0033, 0035); a controller coupled to cause said switch to connect any two of said wireless audio signals and said plural cordless audio signals in response to said wireless control signals or said cordless control signals (0031-0035); a subscriber identity module interface

adapted to accept subscriber identity modules having user wireless account identities and data stored therein coupled to said controller, and wherein said controller is operable to transfer user account identity data from said subscriber identity module interface to said first processor for communications to the wireless telephone network (0047).

Regarding claims 5 and 9, Janssen discloses a wireless telephone node system for providing telephony access between plural cordless telephone handsets and the public switched telephone network, comprising: a wireless transceiver adapted to communicate wireless telephony signals with a wireless telephone network (0028); a first processor adapted to convert wireless audio signals and wireless control signals from said wireless telephony signals (0030); a cordless transceiver adapted to communicate cordless telephone signals with the plural cordless telephone handsets (0031); a second processor adapted to convert plural cordless audio signals and cordless control signals from said cordless telephone signals (0031); a first landline interface circuit adapted to communicate telephone signals via metallic connection to the public switched telephone network (0028, 0029, 0031-0035); a third processor coupled to convert landline telephone signals to landline audio signals and landline control signals (0031-0035); a switch coupled to connect said wireless audio signals, said plural cordless audio signals, and said landline audio signals (0031-0035); a controller coupled to cause said switch to connect any pairs of said wireless audio signals, said plural cordless audio signals, and said landline audio signals in response

to said wireless control signals, said cordless control signals, or landline control signals (0031-0035).

Regarding claim 6, Janssen discloses the apparatus of Claim 5 further comprising: a second landline interface circuit coupled to said third processor, and wherein said third processor outputs plural landline audio signals to said switch (0032-0035).

Regarding claims 7 and 10, Janssen discloses the apparatus of Claim 5 further comprising: a line selection actuator coupled to said controller, and wherein actuation of said line actuator selects either said wireless transceiver or said landline interface circuit as an access resource to the public switched telephone network (0028-0032).

Regarding claims 8 and 11, Janssen discloses the apparatus of Claim 5 wherein a word of cordless control signal data causes said controller to select either said wireless transceiver or said landline interface circuit as an access resource to the public switched telephone network (0028-0032, 0042, 0045).

Regarding claim 12, Janssen discloses the system of Claim 11 wherein said radio audio output is coupled to said switch, and wherein said controller is operable to cause said switch to connect said radio audio to said wireless transceiver or said cordless transceiver (0030, 0032, 0036).

Allowable Subject Matter

5. Claims 2-4 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Mohrs, U.S. Patent No. 6,741,852, discloses a method and device to authenticate subscribers in mobile radiotelephone systems.

Mills et al, U.S. Patent Pub. No. 2003/0092453, discloses communicating information from a remote wireless device to a cordless telephone system.

Boydston et al, U.S. Patent No. 6,584,326, discloses a multiple subscriber interface and simplified provisioning process for installation of multiple cellular and/or mobile sitcom services.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Temica M. Beamer whose telephone number is (571) 272-7797. The examiner can normally be reached on Monday-Thursday (alternate Fridays) 7:00am-4:00pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (571) 272-7905. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

tmb



TEMICA BEAMER
PRIMARY EXAMINER

3/19/06